



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo, Acting President

Jerry Duncan
Sal Quintero
Daniel Ronquillo

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, JUNE 18, 2002

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.fresno.gov) THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M. ROLL CALL

Invocation by Jonathan Villalobos of the Bethany Inner City Church

Pledge of Allegiance to the Flag

Presentation by Deputy Mayor Roger Montero of Idea\$ Pay Awards

Recognition of Cullin Mettlach as Father of the Year - Councilmember Quintero

Resolution of Commendation to Zoua Vang - Councilmember Duncan

Resolutions of Commendation to Tanya Rae Cherry and Janet Marie Howze - Acting President Castillo

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of May 28, 2002

Action Taken:

Approve Agenda

Action Taken:

AGENCY GENERAL CONSENT CALENDAR

- A. Consider approval of resolutions necessary to proceed with the adoption of the proposed Roeding Business Park Plan Amendment (*Council and Agency action*)
Action Taken:
1. **RESOLUTION** - Adopting the report to Council, submitting the report and proposed Redevelopment Plan Amendment to the City Council, and consenting to a joint public hearing date for the Plan Amendment (*Agency action*)
Action Taken:
 2. **RESOLUTION** - Consenting to and calling for a public hearing date for the Plan Amendment
Action Taken: (*Council action*)
- B. Recommend approval of a Professional Services Agreement between the Redevelopment Agency and Harris and Associates for the Elm Avenue corridor beautification between North and Jensen Avenues
Action Taken: (*Agency action*)
- C. **HEARING** on FY 2002-2003 Budget of the Redevelopment Agency (*Council and Agency action*)
(*Continue to 4:30 p.m.*)
Action Taken:
1. **RESOLUTION** - Appropriating the FY 2002-2003 budget of the Redevelopment Agency of the City of Fresno
Action Taken:

RECESS AGENCY

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of June 5, 10 and 11, 2002

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

10:00 AM#1 Presentation by Council of Governments (COG) on Measure “C”

Action Taken:

10:00 AM#2 Approval of Resolutions supporting the extension of Measure “C”

- a. **RESOLUTION** - Adopting the Council of Fresno County Governments Measure “C” extension (1/2 cent sales tax for transportation purposes) expenditure plan and supporting placement of the Measure “C” sales tax extension on the November, 2002 ballot

Action Taken:

- b. **RESOLUTION** - Approving the Council of Fresno County Governments Measure “C” extension (1/2 cent sales tax for transportation purposes) expenditure plan and supporting placement of the Measure “C” sales tax extension on the November, 2002 ballot and authorizing the execution of related documents

Action Taken:

10:30 A.M. Request report from the Fresno City Fire Department relating to hiring and testing procedure for the classification of firefighter recruit - Councilmember Quintero

Action Taken:

10:45 A.M. Award a contract for transportation and processing of wood and yard waste - Dept. of Public Utilities

Action Taken:

11:15 A.M. Discussion and action regarding San Joaquin Valley Air District’s proposal to voluntarily seek the Federal Government’s extreme air quality rating - Council President Perea

- a. **RESOLUTION** - Requesting San Joaquin Valley Air District Board to table the decision regarding the proposal to voluntarily seek the Federal Government’s extreme air quality rating
- b. **RESOLUTION** - In opposition of the San Joaquin Valley Air District’s proposal to voluntarily seek the Federal Government’s extreme air quality rating
- c. **RESOLUTION** - In support of the San Joaquin Valley Air District’s proposal to voluntarily seek the Federal Government’s extreme air quality rating

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 P.M.#1 Adoption of the FY 2002-2003 Budget:

1. **RESOLUTION** - Authorizing City Manager to submit Fiscal Year (FY) 2003 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) for Community Development Block Grant (CDBG), Home Investment Partnerships (HOME) and Emergency Shelter Grant (ESG) Program funds and authorizing City Manager, upon City Attorney's approval, to sign all HUD documents and agreements finalizing and implementing Annual Action Plan
Action Taken:

2:00 P.M.#2 Adoption of the FY 2002-2003 Budget:

1. * **RESOLUTION** - Adopting FY 2002-2003 City of Fresno Budget, including the Community Block Grant (CDBG) budget, and including the Annual Appropriation Resolution (AAR)
Action Taken:
2. * **RESOLUTION** - Adopting the FY 2002-2003 Position Authorization Resolution (PAR)
Action Taken:
3. * **RESOLUTION** - Adopting the 393rd amendment to the Master Fee Schedule (MFS) Resolution No. 80-420 (annual amendment)
Action Taken:
4. * **BILL - (For introduction and adoption)** - Adopting the Property Tax Override (PTO) Ordinance
Action Taken:
5. * Selection of methodology for determination of FY 2003 Gann Appropriation Limit
Action Taken:
6. * **RESOLUTION** - Establishing rules for the application of City employee compensation rates and schedules and related requirements, and establishing compensation rates and schedules - FY 2003 Salary Resolution
Action Taken:

2:30 P.M. Consider request for approval of the transfer of control of cable television franchise from AT&T Broadband to AT&T/Comcast **(Continue to 6/25/2002, time to be set)**
Action Taken:

- 3:00 P.M.** Consideration of a ballot measure amending Charter Section 910 to add members to the Retirement Board
1. * **RESOLUTION (Draft 1)** - Submitting a proposed charter amendment to City electors to add two (2) members to the City of Fresno Employee's Retirement Board, to represent retirees and management, respectively
Action Taken:
 2. * **RESOLUTION (Draft 2)** - Submitting a proposed Charter Amendment to City Electors to add two (2) members to the City of Fresno Employees Retirement Board, which shall consist of a member to represent retirees; and a member chosen by the Board members representing City employees and management
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

REGULAR MEETING WITH THE REDEVELOPMENT AGENCY

4:30 P.M. CONTINUED HEARING on FY 2002-2003 Budget of the Redevelopment Agency (*Agency action*)

Action Taken:

1. **RESOLUTION** - Appropriating the FY 2002-2003 budget of the Redevelopment Agency of the City of Fresno

Action Taken:

ADJOURN AGENCY

5:45 P.M. HEARING to consider adoption of the revised Fresno General Plan Housing Element subject to the additional revisions included in Attachment D (Revision to Chapter IV of the Housing Element as recommended by the Interagency Housing Task Force), with additional information as required by California State law, and with modifications as recommended by the Fresno City Planning Commission

Action Taken:

- a. Consider and adopt the finding of the Mitigated Negative Declaration for Environmental Assessment No. EA-02-31 dated April 30, 2002

Action Taken:

- b. **RESOLUTION** - Adopting the revised Housing Element as a refinement to the Fresno General Plan

Action Taken:

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Kevin Ham v. City of Fresno Civil Service Board; City of Fresno, Real Property in Interest

Action Taken:

B. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Andrew T. Souza, Severo Esquivel and Jorge C. Aguiniga

Employee Organization(s):

1. Amalgamated Transit Union, Local 1027 (ATU)
2. International Union of Operating Engineers, Stationary Engineers Local 39 (Local 39)

Action Taken:

C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, Subdivision (b)

Significant Exposure to Litigation:

1. Patriot Homes Fresno v. City of Fresno; Patriot Homes Fresno II v. City of Fresno

Action Taken:

1. **GENERAL CONSENT CALENDAR**

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED IMMEDIATELY FOLLOWING)

- A. * **RESOLUTION** - Establishing a pay relationship for deleted classes with an existing class for purposes of calculating retirement benefits pursuant to Fresno Municipal Code Section 2-1603.1 - Personnel Department
Action Taken:
- B. **RESOLUTION** - Establishing the intent of the City of Fresno to reimburse itself from the proceeds of indebtedness for expenditures of the City in meeting its financial commitment pursuant to the Development Agreement with Calcot, Ltd. - Finance Department
Action Taken:
- C. Award a contract for closure of Burlington Northern & Santa Fe Railways (BNSF) grade crossings between Belmont and Olive Avenues - General Services Dept./Public Works Dept.
Action Taken:
- D. * **RESOLUTION** - Rescinding and superseding Resolution No. 98-368 which ordered the vacation of a portion of Hamilton Avenue between Parallel Avenue and Third Street and Orleans Avenue west of Second Street - Public Works Department.
Action Taken:
- E. **RESOLUTION** - Approving the Final Map of Tract No. 4971, and accepting dedicated public uses therein, a 6-lot single-family residential subdivision on 1.5 acres of property located on the west side of N. Whitney Avenue between E. Norwich and E. Indianapolis - **(Property located in District 4)** - Development Dept.
Action Taken:
- F. **RESOLUTION** - Approving Final Map of Tract No. 5051, and accepting dedicated public uses therein, a 90-lot single-family residential subdivision located on the west side of N. Polk Avenue between W. Olive and W. McKinley Avenues **(Property located in District 3)** - Development Dept.
Action Taken:
1. * **RESOLUTION** - 106th amendment to AAR No. 2001-200 appropriating \$55,500 for right-of-way purchase on Tract No. 5051 (W. Floradora and N. Polk Avenue) **(Requires 5 affirmative votes)**
Action Taken:
- G. **RESOLUTION** - Of intention to annex Final Tract Nos. 5007 and 5081 to the City of Fresno Community Facilities District No. 2, Annexation No. 38 and authorize the levy of special taxes - Public Works Department
Action Taken:

GENERAL CONSENT CALENDAR CONTINUED

- H.** Approve agreement with County of Fresno for improvements to W. North Avenue between Cornelia and Walnut Avenues - Public Works Department
Action Taken:
- I.** Approve an amendment to the Professional Architectural Services Agreement with Johnson Architecture for design of renovations to the Santa Fe Depot - Public Works Department
Action Taken:
- J. *** **RESOLUTION** - 103rd amendment to AAR No. 2001-200 to transfer \$1,000,000 from contingency budgeted to fund Conference Center Debt Payment, to recognize \$1,100,000 in Tax Anticipation Note Revenue and Obligation (*Requires 5 affirmative votes*) - Finance Department
Action Taken:
- K. *** **RESOLUTION** - Adopting an Investment Policy for public funds for fiscal year 2002-2003
Action Taken:
- L.** Award a contract for trunk-line cleaning Phase II - General Services Department/Purchasing/Public Works Dept.
Action Taken:
- M.** Award a contract for California alignment 12" raw water main from Pump Station 225 to treatment facility - General Services Dept./Dept. of Public Utilities
Action Taken:
- N.** Award a contract for Ashlan/Blythe traffic signal and intersection improvements - General Services Dept./Public Works Dept.
Action Taken:
- O.** Award a contract for Fresno Yosemite International Airport concourse telephone and data cabling - General Services Department/Airports Department
Action Taken:
- P.** Award a contract for Lily/Kirk alley Belgravia to Florence Avenue installation of 6" PVC water main to replace existing 4" water main - General Services Dept./Dept. of Public Utilities
Action Taken:
- Q.** Reject all bids for Glenn, Calaveras, Home and Floradora Avenues installation of street improvements - General Services Dept/Public Works Dept.
Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- R. Award a contract for Ashlan/Cornelia traffic signal and intersection improvements - General Services Dept./Public Works Dept.

Action Taken:

1. * **RESOLUTION** - 107th amendment to AAR No. 2001-200 appropriating \$117,700 to complete funding for Ashlan/Cornelia traffic signal and intersection improvements (*Requires 5 affirmative votes*)

Action Taken:

- S. Reject all bids for Holmes Neighborhood Playground improvements - General Services Dept./Public Works Dept.

Action Taken:

- T. * **RESOLUTION** - Approval to file the proposed Muscat-East No. 1 Reorganization with the Fresno Local Agency Formation Commission (LAFCO) for the detachment of certain territory consisting of 41.5 acres from the Fresno County Fire Protection District and the Kings River Conservation District and annexation of the same territory to the City of Fresno - Development Dept. (*Property located in District 3*)

Action Taken:

- U. * **RESOLUTION** - 108th amendment to AAR No. 2001-200 appropriating \$1,950,000 from property/liability self insurance contingency for payment of incurred claims liabilities (*Requires 5 affirmative votes*) - Risk Management

Action Taken:

2. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

3. **GENERAL ADMINISTRATION**

- A. * **RESOLUTION** - Authorizing the 19th Expansion of the Fresno Enterprise Zone, adding 1.0 acres for the Marcus Center and authorizing submittal to the State Department of Trade and Commerce of said expansion proposal and execution of documents and instruments - Housing, Economic & Community Development

Action Taken:

- B. Update on Urban Growth Management (UGM) Program for fire stations in southeast Fresno

Action Taken:

4. **CITY ATTORNEY**

5.

CITY COUNCIL

- A. Request City Manager to have staff report to the Council in 60 days on the feasibility of exploring opportunities for allowing restaurants to open in regional City parks for the purpose of enhancing and maintaining the park - Councilmember Calhoun
Action Taken:
- B. Direct City Manager to direct Public Works Director or his designee to install 4-way stop signs at the intersection of Huntington and Villa and to be paid for out of District 5's infrastructure budget - Councilmember Quintero
Action Taken:
- C. Discussion regarding relinquishment money from 180 Highway to the City of Fresno in the amount of \$466,000 (*Property located in Districts 3 and 5*) - Councilmember Quintero
Action Taken:
- D. Discussion and direction to de-fund the remaining appropriations relating to the Santa Fe Promenade Park - Council President Perea
Action Taken:

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CITY/COUNTY INTERGOVERNMENTAL RELATIONS

7.

UNSCHEDULED ORAL COMMUNICATIONS - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- June 25 - 10:00 A.M. HEARING** re: CFD No. 2, Annexation No. 37 for Tract No. 4903
- June 25 - 10:15 A.M.** Adoption of a resolution of intent to issue Multifamily Revenue Housing Bonds to finance the construction of a multifamily residential rental project (Parr Apartments)
- June 25 - (Time to be set) - JOINT HEARING/RDA** on DD&A, property located at Tuolumne & Broadway
- June 25 - 10:30 A.M.** Direct City staff to evaluate commercial solid waste franchise opportunities - Councilmember Duncan
- June 25 - 10:45 A.M.** Award a contract for construction of North Avenue trunk sewer, Phases I & 2 - General Services Dept./Public Works Dept.
- July 2 - COUNCIL VACATION**
July 9 - COUNCIL VACATION
- July 16 - 10:00 A.M. HEARING** re: annual levy for Landscaping and Lighting Maintenance District (LLMD)
- July 16 - 10:15 A.M. HEARING** re: vacation of Broadway Plaza, the Broadway Diagonal, the Broadway - "H" alley, and the Broadway Diagonal Reversal in the area bounded by "H", Merced, Fulton and Tuolumne Streets - R.I. 1028-D
- July 16 - 10:30 A.M. HEARING** re: Rezone Application No. R-02-007, filed by Vendo Company
- July 16 - 10:45 A.M. HEARING** re: Rezone Application No. R-02-009, filed by Werner Graf
- July 23 - (Time and duration to be set)** Joint Meeting with Madera County Board of Supervisors
- July 23 - 10:00 A.M. HEARING** re Community Facilities District No. 2, Annexation No. 38 for Tract Nos. 5007 and 5081
- Aug. 6 - COUNCIL VACATION**
Aug. 13 - COUNCIL VACATION

